

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application No. 10/585,385

Confirmation No. 2546

Applicant: DeFrees et al.

Filed: August 12, 2008

TC/AU: 1654

Examiner: Robert B. Breneman

Docket No.: 705738 (Client Reference No. NEO00261US2; 7949.204-US)

Customer No.: 23460

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR APPLICATIONS CONTAINING SEQUENCE DISCLOSURES**

Dear Sir

Applicant(s) hereby respond(s) to the Notice to Comply with Requirements for Applications Containing Sequence Disclosures dated September 29, 2011.

The items checked below are appropriate:

**1. Status of Applicant**

This application is on behalf of ☒ other than a small entity or ☐ a small entity.

**2. Documents Submitted Herewith**

- a. ☐ Executed Declaration of inventor(s)
- b. ☒ Nucleotide and/or Amino Acid Sequence Submission:
  - i. ☒ Computer Readable Form (CRF)
  - ii. Specification Sequence Listing on:
    - (1) ☐ CD-ROM or CD-R (2 copies); or
    - (2) ☐ Paper Copy
  - iii. ☐ Statement verifying identity of above copies
- c. ☐ Verified English translation of application
- d. ☐ Copy of the Notice to Comply with Requirements for Applications Containing Sequence Disclosures
- e. ☐ Substitute Drawings
- f. ☒ Other: Preliminary Amendment

**3. Application Filing Fee (Utility)**

- a. ☒ No application filing fee due

- b. ☐ Application filing fee due in amount calculated below:

APPLICATION FEES						
			SMALL ENTITY		OTHER THAN A SMALL ENTITY	
FILING FEE			\$95 (EFS)		\$380	
SEARCH FEE			\$310		\$620	
EXAM FEE			\$125		\$250	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
Total Claims	- 20 =		x 30 =		x 60 =	
Independent Claims	- 3 =		x 125 =		x 250 =	
<input type="checkbox"/> First Presentation of Multiple Dependent Claim			+ 225 =		+ 450 =	
<input type="checkbox"/> Application Size Fee – If the application transmittals, data sheet, specification, claims, abstract, drawings, and preliminary amendment exceed 100 sheets of paper, enter number of sheets here: - If application is filed in paper form, enter this number in Total Sheets, below. - If application is filed via EFS-Web, multiply this number by 0.75 and enter result in Total Sheets, below.						
Total Sheets =	- 100 =	+ 50 =	x 155 =		x 310 =	
			(round <u>up</u> to a whole number)			
<input type="checkbox"/> Assignment Fee			+ 40 =		+ 40 =	
<input type="checkbox"/> Early Publication Fee			+ 300 =		+ 300 =	
MINUS FEE ALREADY PAID =						
TOTAL FEE DUE =			TOTAL	\$0	TOTAL	\$0

4. **Application Filing Fee (Provisional)**

- a. ☐ No application filing fee due  
 b. ☐ Application filing fee due in amount calculated below:

**Fee Due** \$ 0.00

5. **Late Filing of Oath or Declaration Surcharge**

Pursuant to 37 CFR 1.16(e), the surcharge for filing this Response is for  
☐ other than a small entity or ☐ a small entity.

**Fee Due** \$ 0.00

6.. **Non-English Specification Surcharge**

Pursuant to 37 CFR 1.17(i), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

7. **(Provisional only) Surcharge for Late Submission**

Pursuant to 37 CFR 1.16(g), the surcharge for submitting an English translation of the non-English specification is included.

**Fee Due** \$ 0.00

**8. Extension of Time**

- ☐ Applicants petition for a one-month extension of time under 37 CFR 1.136, the fee for which is \$ 0.00.
- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**Extension fee due with this request: \$ 0.00**

**9. Other Fee(s) Included with Response**

- ☐ , the fee for which is .
- ☐ , the fee for which is .

**Total other fee(s) included with response: \$0.00**

**10. Total Fee Due**

The total fee due is:

Application Filing Fee	\$ 0.00
Late Filing of Declaration Surcharge	\$ 0.00
Non-English Specification Surcharge	\$ 0.00
(Provisional only) Surcharge for Late Submission	\$ 0.00
Extension of Time Fee	\$ 0.00
Other Fee(s)	\$ 0.00

**Total Fee Due: \$0.00**

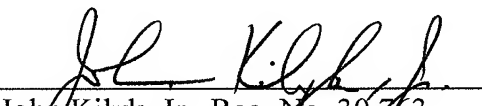
**11. Fee Payment**

- ☐ Attached is a check in the amount of \$ .
- ☐ Charge Account No. 12-1216 in the amount of \$ .

**12. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216.

Respectfully submitted,

  
John Kilyk, Jr., Reg. No. 30,763  
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Date: November 29, 2011